

Message Text

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ORIGIN NEA-10

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FM SECSTATE WASHDC
TO AMEMBASSY RABAT
AMEMBASSY NOUAKCHOTT
AMEMBASSY ALGIERS

C O N F I D E N T I A L STATE 070529

E.O. 11652: GDS

TAGS: MASS, MO, MR, AG

SUBJECT: FMS PROGRAM FOR MOROCCO

1. FOLLOWING IS TEXT OF AMENDMENT DIGGS SUBCOMMITTEE WAS CONSIDERING INCORPORATING IN FY 79 SECURITY ASSISTANCE LEGISLATION. THIS IS AMENDMENT WHICH VELIOTES DESCRIBED TO FOREIGN MINISTER BOUCETTA AT AIRPORT AND SUBSEQUENTLY WAS TRANSMITTED TO MOROCCAN EMBASSY FOR ITS INFORMATION.
2. MOROCCAN EMBASSY NOW HAS BEEN INFORMED THAT FOLLOWING CONSULTATION WITH DEPARTMENT OFFICIALS SUBCOMMITTEE DID NOT TAKE UP PROPOSED AMENDMENT DURING ITS MARCH 16 MARKUP OF AFRICAN PORTION SECURITY ASSISTANCE LEGISLATION. EMBASSY WAS TOLD THAT DEPARTMENT ASKED THAT AMENDMENT BE SHELVED TO AVOID ADVERSE IMPACT ON BILATERAL RELATIONS AND TO PERMIT DIPLOMATIC DIALOGUE ON SUBJECT OF MOROCCAN USE
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OF U.S. ARMS TO CONTINUE.

3. BEGIN TEXT:

QUOTE: (DISCUSSION DRAFT)

MARCH 8, 1978

PROPOSED SUBCOMMITTEE RECOMMENDATION FOR THE FY 1979
INTERNATIONAL SECURITY ASSISTANCE ACT

ADD THE FOLLOWING NEW SECTION AT THE APPROPRIATE PLACE IN
THE BILL:

ASSISTANCE FOR MOROCCO

SEC. ---. (A) AFTER SEPTEMBER 30, 1978, NO MILITARY ASSISTANCE OR SALES TRANSACTION MAY OCCUR WITH RESPECT TO MOROCCO UNLESS THE GOVERNMENT OF MOROCCO HAS AGREED THAT NO DEFENSE ARTICLES OR DEFENSE SERVICES FURNISHED BY THE UNITED STATES HERETOFORE OR HEREAFTER TO MOROCCO UNDER THE ARMS EXPORT CONTROL ACT, THE FOREIGN ASSISTANCE ACT OF 1961, OR ANY PREDECESSOR LEGISLATION, WILL BE USED IN THE WESTERN SAHARA.

(B) THE PRESIDENT MAY NOT GIVE HIS CONSENT UNDER SECTION 3(A)(2) OF THE ARMS EXPORT CONTROL ACT OR UNDER SECTION 505(A)(1) OF THE FOREIGN ASSISTANCE ACT OF 1961 FOR THE TRANSFER TO MOROCCO BY ANY COUNTRY OF ANY DEFENSE ARTICLE, OR RELATED TRAINING OR OTHER DEFENSE SERVICE, WHICH WAS SOLD OR PROVIDED ON A GRANT BASIS TO THAT COUNTRY BY THE UNITED STATES UNLESS THE PRESIDENT HAS RECEIVED ASSURANCES SATISFACTORY TO HIM THAT THE DEFENSE ARTICLES OR SERVICES CONFIDENTIAL

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TO BE TRANSFERRED WILL NOT BE USED IN THE WESTERN SAHARA. THE NATURE OF SUCH ASSURANCES SHALL BE DESCRIBED IN THE CERTIFICATION WITH RESPECT TO THE PROPOSED TRANSFER WHICH IS SUBMITTED TO THE CONGRESS PURSUANT TO SECTION 3(D)(1) OF THE ARMS EXPORT CONTROL ACT.

(C) IF AFTER SEPTEMBER 30, 1978, ANY DEFENSE ARTICLES OR DEFENSE SERVICES SOLD TO MOROCCO UNDER THE ARMS EXPORT CONTROL ACT, FURNISHED TO MOROCCO UNDER CHAPTER 2 OF PART II OF THE FOREIGN ASSISTANCE ACT OF 1961, MADE AVAILABLE TO MOROCCO BY GRANT OR SALE UNDER ANY PREDECESSOR LEGISLATION, OR TRANSFERRED TO MOROCCO BY A THIRD COUNTRY WITH THE CONSENT OF THE PRESIDENT UNDER SECTION 3(A)(2) OF THE ARMS EXPORT CONTROL ACT OR SECTION 505(A)(1) OF THE FOREIGN ASSISTANCE ACT OF 1961, ARE USED BY MOROCCO IN THE WESTERN SAHARA, THE PRESIDENT SHALL IMMEDIATELY SUSPEND ALL MILITARY ASSISTANCE OR SALES TRANSACTIONS WITH RESPECT TO MOROCCO.

(D) AS USED IN THIS SECTION, THE TERM "MILITARY ASSISTANCE OR SALES TRANSACTION" MEANS--

(1) THE OBLIGATION OF FUNDS, OR THE EXPENDITURE OF PREVIOUSLY OBLIGATED FUNDS, FOR MILITARY ASSISTANCE UNDER

CHAPTER 2 OF PART II OF THE FOREIGN ASSISTANCE ACT OF 1961;

(2) THE OBLIGATION OF FUNDS, OR THE EXPENDITURE OF PREVIOUSLY OBLIGATED FUNDS, FOR INTERNATIONAL MILITARY EDUCATION AND TRAINING UNDER CHAPTER 5 OF PART II OF THE FOREIGN ASSISTANCE ACT OF 1961;

(3) THE OBLIGATION OF FUNDS, OR THE EXPENDITURE OF PREVIOUSLY OBLIGATED FUNDS, FOR FOREIGN MILITARY SALES FINANCING UNDER SECTION 23 OR SECTION 24 OF THE ARMS EXPORT CONTROL ACT;
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(4) THE SALE OF DEFENSE ARTICLES OR SERVICES, OR THE DELIVERY OF PREVIOUSLY SOLD DEFENSE ARTICLES OR DEFENSE SERVICES, UNDER SECTION 21 OR 22 OF THE ARMS EXPORT CONTROL ACT; AND

(5) THE LICENSING FOR EXPORT UNDER SECTION 38 OF THE ARMS EXPORT CONTROL ACT, OR THE EXPORT UNDER A LICENSE PREVIOUSLY ISSUED UNDER THAT SECTION, OF DEFENSE ARTICLES OR DEFENSE SERVICES. UNQUOTE. END TEXT. VANCE

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NNN

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